



# NORFOLK

TO: The Honorable City Council

REVIEWED: Ronald H. Williams, Jr. Deputy City Manager

FROM: George M. Homewood, AICP, CFM, Director, Department of City Planning

COPIES TO: Susan Pollock, CFM, Principal Planner, Department of City Planning

SUBJECT: Application for a Special Exception – Royal Auto Sales

DATE: January 9, 2014

On the January 13, 2014 public hearing agenda, City Council will be reviewing a request to operate an automobile sales and service facility on property located at 6210 East Virginia Beach Boulevard. This site is currently developed with an 8,300 square foot building and a 100 foot tall communication tower. The applicant is proposing to use the site to sell cars and repair those cars that are sold on site.

This site is zoned C-2 (Corridor Commercial) which permits automobile sales and service by special exception. Special exceptions allow the imposition of conditions and other limitations on use, construction, operation, character, location, landscaping and screening deemed necessary or appropriate to prevent or minimize adverse impacts upon other properties and improvements in the vicinity.

In 2013, Council amended *plaNorfolk2030* to provide guidance for auto-related uses to minimize the external impacts of auto sales, repair and services uses. Subsequently, a zoning text amendment was approved by the Council that follows the principles of *planNorfolk2030* and establishes requirements for any new or expanded auto sales, repair, and services establishment. This application was submitted after the amendments to *plaNorfolk2030*, but prior to the adoption of the changes to the *Zoning Ordinance*. As a result they are not required to meet the full extent of the new zoning regulations; however, the *plaNorfolk2030* guidance does apply to this site.

Staff and the Planning Commission visited the site and noted that, other than a landscaped area around the existing freestanding sign, no landscaping is located anywhere on the site. In an attempt to follow the guidelines set forth in *plaNorfolk2030*, it was recommended that a landscaped buffer be installed along the property line abutting East Virginia Beach Boulevard and along the property line on the east side of the property. The building sits on the western property line so there was no opportunity to provide landscaping in that location. The applicant agreed to provide landscaping along East Virginia Beach Boulevard, but was not willing to provide any additional landscaping. The applicant indicated the additional landscaping proposed along the eastern boundary would reduce the number of cars that could be sold on site.

Another site related concern is the size of the office building relative to the parking provided. The applicant proposes to use 3,300 square feet of the existing building to reduce parking requirements and thus have more of the site available to display cars that are for sale. The applicant states that the remaining 5,000 square feet of building area shall remain unoccupied. As there is no practical way to enforce this, the Planning Commission indicated a preference that sufficient parking for the entire building (33 spaces instead of the 13 provided) be part of the approval requirements - Doing so would effectively eliminate all area available for the display of cars for sale.

After conducting a duly advertised public hearing at which the applicant's son provided comments, the Planning Commission voted 0 to 6 (Mr. Hales was absent) to recommend denial of the application based on the negative recommendation from staff, and their collective assessment that the site as currently configured is simply too small and unsuited by virtue of the existing office building and communication tower for an automobile sales and service establishment.